



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**2 VAC 5-400 – Rules and Regulations for the Enforcement of the Virginia Fertilizer Law**  
**Department of Agriculture and Consumer Services**  
February 21, 2008

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### **Summary of the Proposed Amendments to Regulation**

In order to comply with Section § 3.1-106.4 of the Code of Virginia, the Board of Agriculture and Consumer Services (Board) proposes to add the following preamble to these regulations: “The Board will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision of such regulation.”

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

Since the preamble language is already in the Code of Virginia and according to the Department of Agriculture and Consumer Services describes current policy, adding it to the regulation will have no impact beyond perhaps providing some clarification for the public. To the extent that a portion of the public affected by these regulations is not aware of the opportunity to potentially affect the regulations through petitions, adding the preamble will create a small benefit.

### **Businesses and Entities Affected**

The Rules and Regulations for the Enforcement of the Virginia Fertilizer Law affect the 480 fertilizer manufacturers licensed to do business in Virginia and the 550 fertilizer applicators licensed in the Commonwealth.<sup>1</sup>

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<sup>1</sup> Source: Department of Agriculture and Consumer Services

## **Localities Particularly Affected**

The proposed additional language does not particularly affect specific localities.

## **Projected Impact on Employment**

The proposed additional language will not affect employment.

## **Effects on the Use and Value of Private Property**

The proposed additional language will not significantly affect the use and value of private property.

## **Small Businesses: Costs and Other Effects**

The proposed additional language will not significantly affect small businesses.

## **Small Businesses: Alternative Method that Minimizes Adverse Impact**

The proposed additional language will not significantly affect small businesses.

## **Real Estate Development Costs**

The proposed additional language will not significantly affect real estate development costs.

## **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a

statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.